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10
11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 PAUL JEFFREY VOLL, an individual,

14 Plaintiff,

15 vs.

16 UNITED STATES OF AMERICA, DAVID N.
17 KARPEL, individually, DOES 1 through 100;
18 and ROES 1 through 100; inclusive,

19 Defendants.

CASE NO.: 2:22-cv-00610-JCM-BNW

**STIPULATION TO EXTEND DEADLINE
TO RESPOND TO USA AND KARPEL'S
MOTIONS TO DISMISS [ECF NOS. 12
AND 13]**

(Third Request)

20 NOW COME the Plaintiff, PAUL JEFFREY VOLL ("Plaintiff"), by and through his
21 attorneys, Melanie A. Hill and Melanie Hill Law PLLC, and the Defendants, UNITED STATES OF
22 AMERICA and DAVID N. KARPEL, by and through their attorney Jacob A. Bennett, who hereby
23 stipulate that the deadlines for Plaintiff to respond to Defendant USA and Karpel's Motions to
24 Dismiss [ECF Nos. 12 and 13] and Defendant USA and Karpel's deadlines to reply to Plaintiff's
25 responsive filing be extended pursuant to Local Rule IA 6-1.

26 This is the parties' third request for an extension of deadlines. The parties originally filed a
27 stipulation [ECF No. 10] that extended Defendant United States' response deadline to align with
28 Defendant Karpel's. That stipulation would have also extended Plaintiff's deadline to respond to the
instant Motions to Dismiss. However, the Court only granted Defendants' extension to respond to

1 the Complaint and denied the request to extend the briefing schedule without prejudice. See Order
2 [ECF No. 11]. The Court then instructed the parties to file a separate stipulation extending Plaintiff's
3 deadline to respond to Defendants' Motions to Dismiss to be heard by the District Judge. *Id.* That
4 stipulation was filed and granted. In support of this Stipulation and request, the parties state as
5 follows:

6 1. Defendant USA and Karpel filed their Motions to Dismiss on October 7, 2022 [ECF
7 Nos. 12 and 13].

8 2. Pursuant to the Order granting the stipulation, Plaintiff's deadline to respond to the
9 Motions to Dismiss is November 18, 2022.

10 3. Prior to filing the second stipulation request, counsel for the Plaintiff and counsel
11 for the government in the local U.S. Attorneys' office have conferred to attempt to resolve counsel
12 for Plaintiffs request to be added to the Protective Order in place in the underlying criminal case so
13 that Plaintiff may share the criminal discovery with undersigned counsel. The discovery is necessary
14 to further plead the complaint in this case in response to arguments made in the currently pending
15 motions.

16 4. These counsel determined that a motion will be necessary to allow undersigned
17 counsel for Plaintiff to be added to the protective order in the underlying criminal case so that
18 discovery may be reviewed by counsel for Plaintiff and used to further plead the complaint in this
19 case. It is also undersigned counsel's understanding that the United States has no objection to
20 Plaintiff's counsel being added to the protective order upon further motion and order of this court.

21 5. To allow this motion to be filed and allow counsel to review the underlying criminal
22 discovery for purposes of prosecuting this civil case and further respond to the pending Motions to
23 Dismiss, the parties have stipulated to extend Plaintiff's response deadline to December 14, 2022.
24 The parties have further stipulated to allow Defendants USA and Karpel until January 23, 2023 to
25 file their responses to Plaintiff's filing.

26 6. After filing the second stipulation, Plaintiff's counsel was delayed in filing the
27 motion to be added to the protective order because she and her entire family were ill and she had to
28 take off work to care for herself and her young child. This additional request is to allow Plaintiff to

file the motion to be added to the protective order and obtain and review the criminal discovery to allow Plaintiffs to adequately respond to the Motions to Dismiss. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely to allow sufficient time to allow Plaintiffs' counsel to be added to the protective Order in the underlying criminal case, review the criminal discovery, and respond to the USA and Karpel's Motions to Dismiss.

WHEREFORE, the parties respectfully request that the Court extend the deadlines as stipulated to herein.

DATED this 18th day of November, 2022.

DATED this 18th day of November, 2022.

BRIAN M. BOYNTON
Acting Assistant Attorney General
Civil Division

MELANIE HILL LAW PLLC

C. SALVATORE D'ALESSIO, JR.
Director
Torts Branch, Civil Division

/s/ Melanie A. Hill
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and David Karpel*

IT IS SO ORDERED.

November 18, 2022

DATE


UNITED STATES DISTRICT JUDGE